

EJ-1965

AB 439-6X
585-1X

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 12, 2006

Mr. Edward J. Fishman
Counsel for DART
Kirkpatrick & Lockhart Nicholson Graham LLP
1800 Massachusetts Avenue, N.W.
Suite 200
Washington, DC 20036-1221

Re: TCEQ Grant and Environmental Assessment Review System (GEARS) #6918, Dallas Area Rapid Transit, Railroad Line Abandonment

Dear Mr. Fishman:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced project and offers following comments:

A review of the project for General Conformity impact in accordance with 40 CFR Part 93 and Title 30, Texas Administrative Code §101.30 indicates that the proposed project is located in Collin County, which is currently classified as a Moderate ozone nonattainment area. Therefore, general conformity rules apply.

The two criteria pollutants of concern as precursors to ozone formation are volatile organic compounds (VOCs) and nitrogen oxides (NO_x). An increase of 100 tons per year for VOCs or NO_x, resulting from the proposed project, could trigger general conformity analysis. However, the emissions from the proposed project are expected to be well below the 100 tons per year significance level. Therefore, a general conformity analysis will not be required.

Although any demolition, construction, rehabilitation or repair project will produce dust and particulate emissions, these actions should pose no significant impact upon air quality standards. Any minimal dust and particulate emissions should be easily controlled by the construction contractors using standard dust mitigation techniques.

We recommend the environmental assessment address actions that will be taken to prevent surface and groundwater contamination.

Mr. Edward J. Fishman

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Re: TCEQ Grant and Environmental Assessment Review System (GEARS) #6918, Dallas Area Rapid Transit, Railroad Line Abandonment

It has been determined from a review of the information provided that an Application for TCEQ Approval of Floodplain Development Project need not be filed with TCEQ. Our records show that the community is a participant in the National Flood Insurance Program and as such has a Flood Hazard Prevention Ordinance / Court Order. Accordingly, care should be taken to ensure that the proposed construction takes into account the possible Flood Hazard Areas within the community's floodplains. Please notify the community floodplain administrator to ensure that all construction is in compliance with the community's Flood Hazard Prevention Ordinance / Court Order.

Thank you for the opportunity to review this project. If you have any questions, please call Ms. Betty Thompson at (512) 239-1627.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Weber". The signature is fluid and cursive, with the first name "Thomas" being the most prominent.

Thomas W. Weber, Manager

Water Programs

Texas Commission on Environmental Quality